IN RE: PETITION FOR ZONING VARIANCE SW/Corner Proctor Lane and

Waltham Woods Road (2519 Proctor Lane) 9th Election District 6th Councilmanic District

* Case No. 90-536-A Salvatore J. Costa

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a distance between facing elevations of 21 feet in lieu of the required 25 feet for buildings between 20 and 25 feet in height for a proposed garage addition, in accordance with Petitioner's Exhibit 1.

BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

The Petitioner appeared and testified. There were no Protestants. Testimony indicated that the subject property known as 2519 Proctor Lane, consists of .29 acres zoned D.R. 5.5 and is improved with a single family dwelling and attached one car garage. Petitioner is desirous of expanding the existing garage to provide safe and secure storage for two antique cars he owns. Testimony indicated the Petitioner has experienced vandalism to his cars in the past. Mr. Costa testified he does no automobile repair work on the premises. Mr. Costa further testified he has discussed his plans with the adjoining property owners who have no objections to the proposed garage addition. Testimony indicated the relief requested will not result in any detriment to the health, safety or

general welfare of the surrounding community. Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the

subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of August, 1990 that the Petition for Zoning Variance to permit a distance between facing elevations of 21 feet in lieu of the required 25 feet for buildings between 20 and 25 feet in height for a proposed garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order: however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall not allow or cause the proposed garage addition to be converted to a second dwelling unit and/or apartments. The existing garage and proposed garage addition shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

> Zoning Commissioner for Baltimore County

\$ 102.41 CERTIFICATE OF PUBLICATION

Petition for Zoning Variance
Case number: 90-536-A
SWC Proctor Lane and
Waitham Woods Road
2519 Prootor Lane
9th Election District
6th Councilmanic
Petitioner(s):
Salvatore J. Costa
Hearing Date: Wednesday,
August 1, 1990 at 9:30 a.m.
Variance: to allow a distance
between facing elevatione of 25
feet in lieu of the required 25 feet
for buildings between 20 - 25 feet
in height.
In the event that this Petition is
granted, a building permit may be granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

TOWSON, MD. July 6 , 1990 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on July 5. 19 90.

5. Zefe Orlon

PO 105566

J. ROBERT HAINES

TOWSON, MD., July 6, 19 9 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on July 5. 19 90

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

August 2, 1990

Mr. Salvatore J. Costa 2519 Proctor Lane Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE SW/Corner Proctor Lane and Waltham Woods Road (2519 Proctor Lane) 9th Election District - 6th Councilmanic District Salvatore J. Costa - Petitioner Case No. 90-536-A

Dear Mr. Costa:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, , Robert Haires J. ROBERT HAINES Zoning Commissioner for Baltimore County

Dennis F. Rasmussen
County Executive

cc: People's Counsel

File

JRH:bjs

90-536-A CERTIFICATE OF POSTING ZONING DEPARTMENT OF SALTIMORE COUNTY

-	-/1-10
District_977	Date of Posting
Bostod for Marianes	
Callaton TO	insta
Petitioner:	for fore & Welthow Woods Rd.
Location of property:	or fame & WETTATH WOOD WE
751 Proctor Lanes	
santian of Stones Facing Procher	net
Location of Signal It	
0.7. f. 20 fex 14. f	
Remarks:	
Posted by	Data of return: 7/20/90

Zoning Commissiones
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

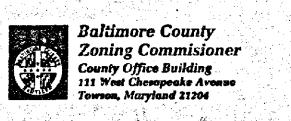
fqieee1

5/03/90 H9000333 PUBLIC HEARING FEES 010 -ZUNING VARIANCE (IRL)

LAST NAME OF OWNER: COSTA

TOTAL: \$35.00

B C65******3500*a BC48F Please make checks payable to: Battimore County



receipi

PUBLIC HEARING FEES OBO -POSTING SIGNS / ADVERTISING 1 X

04A04#0090MICHRC BA COO9:36ANO8-01-92 · \$127.41

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-536-A The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B01.2.C.1 To allow a distance between facing elevations of 21 feet in lieu of the required 25 feet for buildings between 20-25 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) BY HIT + RUN" 1,200." 2 CARS PARMED IN DRIVEWAY HIT BY PELLET GUN 3. GARAGE FOR CLASSIC CAR Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: SALVATORE J. COST (Type or Print Name) 563 _______ G-Z.C (Type or Print Name) City and State Attorney for Petitioner: 2519 PROCTOK LA 661-2116 (Type or Print Name) BALTO NO 21234

Name, address and phone number of legal owner, con-

tract purchaser or representative to be contacted

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

ESTIMATED LENGTH OF HEARING (-1/2HR.)

AVAILABLE FOR HEARING MCN./TUES./WED. - NEXT TWO MONTHS

DATE 7/24/90

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

Salvadore J. Costa 2519 Proctor Lane Baltimore, Maryland 21234

Petition for Zoning Variance CASE NUMBER: 90-536-A SEC Proctor Lane and Usltham Souds Road 2519Proctor Lara-Eth Election District - Sth Councilmania Petitioner(s): Salvatora J. Costs

HEARING: LECTESDAY, ALEUST 1, 1990 et 9:30 a.m.

Please be advised that $\frac{1274}{}$ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

Please make your check payable to Galtimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set

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Item # 383 90-536-A Zoning Description

Beginning at a point on the south side of Proctor Lane, 50 ft. wide at the West corner of Wastham Woods Rd. Being lot No. 17, Sect. It of the subdir-ision of "1st Amended, Satyr Woods" as recorded in plat book 46 folio 98, Also Known as # 2519 Proctor Lane & located in the 9th Election District.

> Petition for Zoning Variano Case number: 90-536-A SWC Proctor Lane at Waltham Woods Road seued within the thirty (SU) cary appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the insurroe of said permit during this period for good cause show. Such request must be in writing and received in this office by the date of the hearing set above or J. ROBERT HAINE Zorling Commissionar Baltimore Cour 197/015 July 5.

CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN.

Baltimore County Zoning Commissione Office of Flanning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner



NOTICE OF HEARING

June 6, 1990

Dennis F. Rasmussen

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeaka Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance CASE NUMBER: 90-536-A SWC Proctor Lane and Waltham Woods Road 2519 Proctor Lane 9th Election District - 6th Councilmanic Petitioner(s): Salvatore J. Costa HEARING: WEDNESDAY, AUGUST 1, 1990 at 9:30 a.m.

Variance to allow a distance between facing elevations of 21 feet in lieu of the required 25 feet for buildings between 20 - 25 feet in height.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permi during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Baltimore County Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353 J. Robert Haines Zoning Commissioner

Mr. Salvatore J. Costa

2519 Proctor Lane

Baltimore; MD 21234

July 10, 1990



RE: Item No. 383, Case No. 90-536-A Petitioner: Salvatore J. Costa Petition for Zoning Variance

Dear Mr. Costa:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

JAMES E. DYER

Zoning Plans Advisory Committee

Enclosures

JED:jw

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner



Your petition has been received and accepted for filing this 30th day of May, 1990.

J. Robert france

Zoning Plans Advisory Committee

Petitioner: Salvatore J. Costa Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner DATE: May 22, 1990

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Salvatore J. Costa, Item No. 383

The Petitioner requests a Variance to permit a reduction in setback for facing elevations in order to construct a garage addition. In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

June 6, 1990



Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 351, 381, 382, 383, 384, 386, 389, 390, 391, 392 and 393.

Very truly yours,

Truchard S. I leng -Michael S. Flanigan Traffic Engineer Associate II

MSF/lvw

JUN 13 1990 ZONING OFFICE

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke Chief

MAY 21, 1990



J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 SALVATORE J. COSTA RE: Property Owner:

Location:

#2519 PROCTOR LANE

Item No.: 383 Gentlemen:

Zoning Agenda: MAY 29, 1990

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Catt loos Kell 190 Approved Capt W. P. Brade, fr M. Planting Group Fire Prevention Eureau Special Inspection Division

JK/KEK

AB-71 54-1 # 2519 89.91 LGTM Y PROCTOR LANE PLAT FOR ZOUING VARIANCE

OWNER - SALVATORE J. COSTA Zoning: DR-5.5

Elect. Distric - 9 co. Dist: 6

SUBDIVISION - SATYR WOODS

LOT - 17 STET- 2 LOTSIZE 12632.4 STATE: 1"= 30

2519 PROCTUR LANE Existing Vtilities in Tractor 4. NOT IN Critical Area

00